



Abdallah Receivership General

Invoice 10737

Date	Oct 06, 2020
Terms	
Service Thru	Oct 05, 2020

Professional Services:

Litigation

01/21/2020	JWE	Review the Guerrini Defendants' Motion to Continue Hearing Date & Date of Temporary Restraining Order with counsel and discuss response thereto.	0.30	\$ 112.50
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01/23/2020	JWE	Confer with counsel re the issues and background facts that may come before the Court at the January 24 hearings on the Receiver's Motions for Preliminary Injunction Against the Guerrini Defendants, for Relief from the Judgment of Dismissal, and for Reinstatement of the Default Judgments Against the Guerrini Defendants; review documents and otherwise prepare for hearings; participate in the first part of counsel's telephone conference with D. Phillips, counsel for the Guerrini Defendants, re the inability of the Guerrini Defendants to account for the proceeds they received from the Meredith Suites Litigation.	2.50	\$ 937.50
02/14/2020	JWE	Review the Guerrini Defendants' Motion to Permit Filing of Opposition Under Seal and note issues for response; research of law re standard to be met for such a request to be granted.	1.70	\$ 637.50
02/15/2020	JWE	Further review of the total failure of the Guerrini Defendants' to meet the standards for the filing of documents under seal; telephone conference with M. Whitmer re same.	1.90	\$ 712.50
02/21/2020	JWE	Work with counsel to prepare position statement of the Receiver on conditions to be fulfilled by Guerrini Defendants to obtain the Receiver's consent for the requested continuance of the scheduled hearings (1.8); research of law re potential arguments by the Guerrini Defendants with respect to any waivers of jurisdiction (2.4).	4.20	\$ 1,575.00
02/23/2020	JWE	Work on conditions to be required by the Receiver in order to consent to the rescheduling of the hearings on the various motions brought by the Receiver against the Guerrini Defendants as requested by the Guerrini Defendants.	1.40	\$ 525.00
02/24/2020	JWE	Meet about appropriate stance with respect to stance taken by Guerrini's counsel on conditions to a consent order for postponement of the hearing on all pending matters.	1.40	\$ 525.00
02/25/2020	JWE	Prepare for and participate in telephonic conference with Judge Oliver's Courtroom Deputy, Sharon Romito, opposing counsel David Phillips, and Receiver's counsel to set date for hearings on all pending motions (0.4); review status of all motions in the case and prepare index of statements made by the Guerrini Defendants about open issues still before the court (5.1).	5.50	\$ 2,062.50
05/21/2020	JWE	Work through problems being created by counsel for the Guerrini Defendants based on his constant misrepresentations about discovery requested by the Guerrini Defendants and by the Guerrini Defendants' inadequate responses to the Receiver's discovery requests.	3.90	\$ 1,462.50
06/03/2020	JWE	Confer with counsel about the Guerrini Defendants' refusal to review the actual history of this case and telephone conference with Mary about her draft response to the Guerrini Motion to Continue the scheduled hearings and to pay counsel out of the funds held in the IOLTA account.	1.10	\$ 412.50

06/04/2020	JWE	Edit the Receiver's Response to Defendants' Motion to Continue Hearing and Motion to Pay Counsel out of the money held in trust with research into the Ponzi Scheme Presumption as interpreted in the Sixth Circuit.	1.70	\$ 637.50
06/08/2020	JWE	Prepare for and participate in conference call with Judge Oliver and all counsel on the Guerrini Defendants' motion to continue the June 15 hearings and to pay counsel out of the receivership funds (1.9); draft and submit proposed order granting the Receiver's Motion for Relief from Judgment pursuant to Rule 60(b)(3), denying the Guerrini Defendants' Motion to Postpone the scheduled hearings, and Extending the Preliminary Injunction (2.2).	4.10	\$ 1,537.50
06/09/2020	JWE	Assist counsel in preparation for June 15 hearings on the Receiver's pending motions—exhibits and arguments to be made.	3.50	\$ 1,312.50
06/11/2020	JWE	Review draft trial brief from counsel (0.3); work on legal memorandum re the duty of a supposed victim of a Ponzi scheme must raise "contributions in excess of amounts received" either as an affirmative defense or as a counterclaim and the failure of the Guerrini Defendants to do either under the terms of the scheduling order or subsequently with leave of court (1.8); draft full order for the granting of the preliminary injunction (2.2); review the Guerrini Defendants' witness list and consider questions likely to be asked to the Receiver (0.8).	5.10	\$ 1,912.50
06/12/2020	JWE	Review documents and meet with counsel to prepare for the hearings scheduled for June 15.	5.20	\$ 1,950.00
06/13/2020	JWE	Finalize draft orders reopening the case and granting the Receiver's motion for a preliminary injunction.	3.00	\$ 1,125.00
06/25/2020	JWE	Conference call with Receiver's counsel re how to respond to the Guerrini Defendants' latest effort to delay the scheduled hearing on the Receiver's Motion for an Order to Show Cause, to wit: Glenn Phillips's addition of himself to the Defendants' witness list; review of the law and ethics decisions related to same.	1.00	\$ 375.00
06/26/2020	JWE	Final review of documents and other preparation for the continuation of the ZOOM hearing before Judge Oliver on the Receiver's Motion to Show Cause and the Receiver's Motion to Reinstate Default Judgments (2.4); confer with counsel during the mid-day break and following the conclusion of the hearing re next steps (0.7); hearing before Judge Oliver (3.9).	7.00	\$ 2,625.00
06/27/2020	JWE	Outline and draft a summary brief on the Receiver's proposed sanctions for the violation of the temporary restraining order by the Guerrini Defendants and a proposed order to resolve the Receiver's Motion to Reinstate Default Judgments.	4.70	\$ 1,762.50
07/14/2020	JWE	Download and review the Defendants' (a) Motion to Dismiss Under Fed. R. Civ. P. 12(b)(1), (b) Statement re Sanctions, and (c) proposed order re Reinstatement of the Default Judgments; discuss same with counsel, and begin case law research to respond to the Motion to Dismiss.	5.70	\$ 2,137.50

07/15/2020	JWE	Deep dive into cases cited and mis-cited by the Defendants and further drafting of the Receiver's Response to the Defendants' Motion to Dismiss.	6.80	\$ 2,550.00
07/16/2020	JWE	Further research and drafting of the Receiver's Response to the Defendants' Motion to Dismiss.	4.00	\$ 1,500.00
07/20/2020	JWE	Deep research for cases that could be helpful to Guerrini's argument that the court lacks jurisdiction and thereby argue that the only reason that the Guerrini Defendants are relying on Liberte and Javitch is that there are no cases on point that support their arguments.	4.80	\$ 1,800.00
07/22/2020	JWE	Further research of case law for possible support for the Guerrini Defendants' legal position and work on Receiver's Response to Guerrini's Motion to Dismiss including argument of "no known case with similar facts" exists to support Guerrini's argument (4.6); outline Motion for an Order to Show Cause against the Quinn Law Firm based on testimony at and exhibits introduced at the hearing on the Receiver's Motion to Show Cause against Guerrini (1.6).	6.20	\$ 2,325.00
07/23/2020	JWE	Further review of case law on similar issues and revisions to the Receiver's Response to the Defendants' Motion to Dismiss.	3.20	\$ 1,200.00
07/27/2020	JWE	Revise and otherwise edit the Receiver's Response to the Guerrini Defendants' Rule 12(b)(1) Motion to Dismiss.	4.70	\$ 1,762.50
07/28/2020	JWE	More research and revising in response to Guerrini's Motion to Dismiss for Lack of Jurisdiction.	5.20	\$ 1,950.00
07/29/2020	JWE	Further revisions to the Receiver's Response to the Defendants' Motion to Dismiss.	3.20	\$ 1,200.00
07/30/2020	JWE	Revise Receiver's Response to Guerrini's Motion to Dismiss into final fileable form.	4.50	\$ 1,687.50
08/06/2020	JWE	Review new precedential decision from the Third Circuit Court of Appeals explaining in detail the difference between constitutional standing and statutory authority to pursue an action in federal court and incorporate same into the Receiver's Response to Guerrini's Motion to Dismiss.	5.30	\$ 1,987.50
08/10/2020	JWE	Examine additional cases and revise the Receiver's Response to the Defendants' Motion to Dismiss to include the authority for allowing the Court to sanction the Guerrini Defendants for filing a frivolous or vexatious pleading and otherwise refine the Response.	5.20	\$ 1,950.00
08/11/2020	JWE	Final revisions to and edits of the Response of the Receiver to Defendants' Motion to Dismiss Under Fed. R. Civ. P. 12(b)(1).	4.80	\$ 1,800.00
09/21/2020	JWE	Review order denying the Guerrini Defendants' Motion to Dismiss for Lack of Jurisdiction and confer with counsel re probable next steps.	0.30	\$ 112.50

09/28/2020	JWE	Download and review the Court's Orders (i) Granting the Receiver's Motion for an Order to Show Cause Why Defendants Should Not Be Held In Contempt and (ii) Denying the Receiver's Motion to Reinstate Default Judgments (0.3); begin to compile the requested itemized statement of attorneys' fees and costs incurred by the Receiver in seeking contempt sanctions (0.9).	1.20	\$ 450.00
Litigation Total:			124.30	\$46,612.50
Reinstate Default Judgments				
02/27/2020	JWE	Research of law re a possible argument of the Guerrini Defendants that vacation of the order that set aside the default judgments is time-barred.	1.30	\$ 487.50
06/10/2020	JWE	Review documents supposedly just found on a backup of Armand Guerrini's computer and compare their information with bank records received from the SEC and confer with counsel re same and re structure of argument to the Court re same and re the argument to reinstate the default judgments.	5.20	\$ 1,950.00
07/13/2020	JWE	Final additions to and edits of the Receiver's Statement prior to filing of same and to the Receiver's Final Argument in Favor or Reinstatement of the Default Judgments.	3.00	\$ 1,125.00
Reinstate Default Judgments Total:			9.50	\$3,562.50
Relief from Judgment and for TRO				
02/26/2020	JWE	Update case law citations related to the standards to be met by one who wants to reopen a case dismissed with prejudice in the 6th Circuit.	3.20	\$ 1,200.00
Relief from Judgment and for TRO Total:			3.20	\$1,200.00
Show Cause				
01/24/2020	JWE	Confer with counsel re the Receiver's Motion for an Order to Show Cause Why the Guerrini Defendants Should Not be Held in Contempt; edit same. (0.8) and set up playbook of evidence and arguments for the post-discharge motions (2.3).	3.10	\$ 1,162.50
02/03/2020	JWE	Edit and expand the Response and Limited Objection of the Receiver to the Guerrini Defendants' Motion for Extension of Time to Respond to the Receiver's Motion to Show Cause.	1.80	\$ 675.00
02/17/2020	JWE	Research of law re sanctions for failure to abide by agreement with a court to overcome the Guerrini Defendants' argument that there was nothing there for the Receiver so that Guerrini's violation is excusable under a form of "no harm; no foul" jurisprudence arguably not before the court.	4.80	\$ 1,800.00
02/18/2020	JWE	Further review of case law re sanctions for failure to abide by agreement made with a court on the record.	2.40	\$ 900.00
03/03/2020	JWE	Review and edit proposed discovery to the Guerrini Defendants; review and assist with filing the Receiver's Notice of Intent to Serve Subpoenas on the banks in which the Guerrini Defendants have accounts.	0.80	\$ 300.00
06/15/2020	JWE	Prepare for and participate in ZOOM hearing with Judge Oliver and all counsel of the Receiver's Motion for an Order why the G Ds should not be held in contempt and the Receiver's Motion to Reinstate the Default Judgments.	8.00	\$ 3,000.00

06/29/2020	JWE	Continue work on the Receiver's memorandum of law re proposal for sanctions for the violation of the TRO by the Guerrini Defendants and research of decisions imposing sanctions for similar violations of court orders.	5.20	\$ 1,950.00
06/30/2020	JWE	Further review of Sixth Circuit cases for thresholds to be met for levels of sanctions imposed.	3.30	\$ 1,237.50
07/01/2020	JWE	Further work on the memorandum of law in support of a maximum requested sanction for violation of the restraining order and multiplication of the Receiver's professional fees because of the Defendants' frequent and serial lies.	4.80	\$ 1,800.00
07/07/2020	JWE	Further research of law and revisions to the Receiver's memorandum of law on the sanctions to be imposed on the Guerrini Defendants.	3.80	\$ 1,425.00
07/08/2020	JWE	Further drafting of and revisions to the Receiver's memorandum of law on sanctions.	4.70	\$ 1,762.50
07/09/2020	JWE	Further review of cases involving respondents who were found to have deliberately disobeyed district court orders and the sanctions imposed by the various courts.	7.40	\$ 2,775.00
07/10/2020	JWE	Further work on the proposed sanctions portion of the Receiver's Statement on the Defendants' contempt.	6.70	\$ 2,512.50
07/12/2020	JWE	Final review of case law for and further edits of the Receiver's Statement including the continued viability of all cited cases.	8.00	\$ 3,000.00
Show Cause Total:			64.80	\$24,300.00